

**Minutes of the Grinnell City Council Meeting
Monday, December 20, 2004**

The City Council of the City of Grinnell met in regular session in the Council Chambers of the Grinnell Community Center, 927 4th Avenue, Grinnell, Iowa, at 7:00 p.m., Monday, December 20, 2004. Mayor Canfield presided.

Roll Call: PRESENT: Wilson, White, McNaul, Worley, Witt, Elliott

PERFECTING AND APPROVAL OF AGENDA:

Moved by WHITE, second by MCNAUL, to approve the Agenda and the Consent Agenda. Roll Call Vote: Ayes: White, McNaul, Witt, Wilson, Worley, Elliott. Motion carried.

CONSENT AGENDA:

- Previous minutes as drafted from the Monday, December 6, 2004 Regular Session.
- Approval of the Clerk's Report.
- Approval of the Treasurer's Report.
- Renewal of the Class BW Liquor License for Choung Garden, 915 Broad Street.

COMMUNICATIONS/MEETING MINUTES:

- I. Thank You: Karen Rupe
- II. Correspondence from the City Manager in regard to employee health insurance premiums.
- III. Correspondence from Mediacom in regard to digital cable channels.
- IV. Correspondence from the Iowa Department of Economic Development in regard to Wildwood Natural Foods.
- V. Correspondence in regard to the Safe Homes organization.
- VI. Finance Committee: Monday, December 6, 2004
- VII. Public Works and Grounds Committee: Monday, December 6, 2004
- VIII. Memorial Commission: Tuesday, October 19, 2004 and Friday, November 5, 2004.

OLD BUSINESS:

- I. Report from the Finance Committee.
 - Review of the FY 2006 MICA request.

White reviewed the MICA request for \$511.00 for the upcoming budget year. The committee agreed that the request will be paid from the Campbell Fund.

- Review of the FY2006 Budget Schedule.

White commented that the budget schedule had been proposed and that the Finance Meetings will meet from 7:30 to 9::30 am on the following dates: January 17, 18, 19, 24, 25, 2005, to review the department requests. He invited the public to attend the meetings.

- Recommendation in regard to the requests for assistance from the Campbell Fund.

The requests were approved as presented.

The committee also met with Menner and Linden in regard to the organization of POW I-80 and the services specifically being provided to the city of Grinnell. The committee expects ongoing communication with POW I-80 and will continue to update the council.

The committee briefly discussed the potential Wal-Mart development.

- II. Report from Public Works & Grounds Committee.
 - Discussion in regard to the issuance of deeds at the Hazelwood Cemetery.

Elliott reviewed the request by a local family for several cemetery lots to be merged into one deed. Elliott reviewed the paper system and that the committee felt that deviation from the process for one family would set precedence and jeopardize the accuracy of the system.

The committee felt that the current system be maintained and suggest that the deeds for the lots be reissued in a single name at the regular cost of \$20.00 for each deed. The city council did not object.

- Review of the request by the Poweshiek Water Association in regard to the city providing Don Crawford water service.

Elliott reviewed the request and that the city does not have any immediate plans to extend infrastructure to the location which is more than a half mile from the nearest main. Once this customer is added to rural water, they become part of the rural organization's federal borrowing capacity base. In order to get the customer back, the city would be required to pay substantial fees.

Moved by ELLIOTT, second by WITT, to approve the request as submitted. Roll Call Vote: Ayes: Elliott, Witt, Worley, Wilson, McNaul, White. Motion carried.

- Review of the request submitted by Mailboxes and Parcel Depot in regard to parking on Commercial Street.

Elliott discussed the request to designate a few parking places on Commercial Street as short term parking to allow for patrons to deliver their packages. They reviewed the configuration of the parking and that Commercial Street is slated to be reconstructed during Phase II of the downtown rehabilitation. The committee could not justify the loss of the two spaces at this time.

Moved by ELLIOTT, second by MCNAUL, to decline to change the spaces as requested, however to forward the issue to the Chamber of Commerce for their review and assistance. Roll Call Vote: Ayes: Elliott, McNaul, Witt, White, Wilson, Worley. Motion carried.

Wilson questioned if at any time a group or organization has rented parking spaces. Elliott responded that off street in the public parking does have rental space available, however the city does not allow rentals on-street as an option. Wilson questioned the existing placement of signs by local businesses. Elliott said that the spaces are unenforceable. It is not an option that the city will grant, nor are they encouraged to place signs in front of their businesses. Worley commented that the council is encouraging business owners and employees to park in places away from their own and their neighbor's businesses to free the spaces for customers.

- Review of the request submitted by Snyder Construction in regard to encroaching an easement due to construction at the Jeld-Wen Facility.

Elliott stated that the area they are occupying has become limited for allowing the space necessary a garbage pickup. There is an asbestos water line adjacent to the area in which the city has maintained an easement for allow for access. The request is to construct a retaining wall so they can expand the area for the trucks; however the main is very fragile and cannot be disturbed.

Moved by ELLIOTT, second by MCNAUL, to grant the request with the understanding the during construction the main must not be disturbed and if it is, Jeld-Wen will be responsible for its remediation, further if the city needs to work on the main and the conditions require that the wall be removed, the wall will be removed and reconstructed at Jeld-Wen's cost. The conditions will be specified in a letter agreement. Roll Call Vote: Ayes: Elliott, McNaul, Witt, White, Wilson, Worley. Motion carried.

- Review of Change Order No. 1 in regard to the timeline of the construction of the Compost Facility. (See Resolution No. 2739)

Elliott commented that the contractor was able to complete a lot of the work as required by the contract even with the complication of the weather; however they are requesting an extension of the contract as they did experience a few small delays. The request only extends the contract by 21 days.

Moved by ELLIOTT, second by MCNAUL, to approve and adopt Resolution No. 2739: "A RESOLUTION APPROVING CONTRACT CHANGE ORDER NO. 1 WITH SCHOON CONSTRUCTION, INC. OF GRINNELL, IOWA TO EXTEND THE CONTRACT COMPLETION DATE FOR THE COMPOST FACILITY CONSTRUCTION PROJECT." Roll Call Vote: Ayes: Elliott, McNaul, White, Wilson, Worley, Witt. Motion carried.

NEW BUSINESS: None.

SECOND READING OF THE ORDINANCE:

Moved by WORLEY, second by MCNAUL, to conduct the second reading of Ordinance No. 1238: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 21, ARTICLE II, (TREES IN AND ADJOINING PUBLIC WAYS.)" Roll Call Vote: Ayes: Worley, McNaul, White, Witt, Wilson, Elliott. Motion carried.

APPROVAL AND ADOPTION OF THE RESOLUTIONS:

Moved by WORLEY, second by WHITE, to approve and adopt Resolution No. 2740: "A RESOLUTION TO APPROVE IMPROVEMENT PROJECTS AS SUBMITTED FOR PROPERTY AND REQUEST TAX EXEMPTION FOR THIS IMPROVEMENT ACCORDING TO CHAPTER 404 OF THE STATE CODE (Carter and Lori VandeStouwe, 1209 Summer Street.)" Roll Call Vote: Ayes: Worley, White, Elliott, Witt, Wilson, McNaul. Motion carried.

Moved by WHITE, second by MCNAUL, to approve and adopt Resolution No. 2741: "A RESOLUTION APPOINTING BANKERS TRUST COMPANY NA OF DES MOINES, IOWA TO SERVE AS PAYING AGENT, BOND REGISTRAR, AND TRANSFER AGENT, APPROVING THE PAYING AGENT AND BOND REGISTRAR AND TRANSFER AGENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE AGREEMENT." White, McNaul, Wilson, Elliott, Worley, Witt

Moved by WHITE, second by MCNAUL, to approve and adopt Resolution No. 2742: "RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$3,500,000.00 GENERAL OBLIGATION BONDS AND LEVYING A TAX TO PAY SAID BONDS." Roll Call Vote: Ayes: White, McNaul, Witt, Worley, Elliott, Wilson. Motion carried.

INQUIRIES:

Lolya Lipchitz – 920 East Street – was present to represent several citizens. She questioned city council procedure for presenting questions to the Planning Committee and to receive a legal opinion. Worley stated that the Planning Committee will be meeting Monday, December 27, 2004 at 6:00 pm and that is when the questions would be discussed.

Behrens stated that he and Anderson had been working with Veenstra and Kimm in regard to the planning of the Central Business District. He requested the city council schedule a special meeting for Monday, January 10, 2004 at 7:00 to review the detail of the plans. The council concurred. Behrens will confirm with the engineers.

ADJOURN:

Moved by ELLIOTT, second by MCNAUL, to adjourn this regular session of the Grinnell City Council at 7:27 pm. Vote: (6) ayes, motion carried.

ATTEST:

Gordon Canfield, Mayor

Cassandra R. Hage, City Clerk